

**SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY**

SUBJECT: Approval of the Resolution Dissolving the Countywide Road Construction Impact Fee District, The District 1 Road Construction Impact Fee District, and the District 2 Road Construction Impact Fee District, and Dictating the Transfer of the Funds of Each Dissolved District to the Sumter County Road Construction District Impact Fee Trust Account, Approval of the First Amendment to the 2009 Villages of Lake-Sumter Impact Fee Agreement, Approval of the Second Amendment to the Amended and Restated Agreement for the Development of County Roads 466-A, 462, and 139, and Finally the approval of the Agreement between the City of Wildwood and The Villages of Lake-Sumter, Inc., Concerning Issues Related to the Widening of County Road 139

REQUESTED ACTION: Approval of the Resolution and Subsequent Contracts Attached as Listed Above

☐ Work Session (Report Only) **DATE OF MEETING:** 5/25/2010
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☐ N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: _____

BUDGET IMPACT: N/A
☐ Annual **FUNDING SOURCE:** _____
☐ Capital **EXPENDITURE ACCOUNT:** _____
☒ N/A

HISTORY/FACTS/ISSUES:

Approval of the Resolution Dissolving the Countywide Road Construction Impact Fee District, The District 1 Road Construction Impact Fee District, and the District 2 Road Construction Impact Fee District, and Dictating the Transfer of the Funds of Each Dissolved District to the Sumter County road Construction District Impact Fee Trust Account, Approval of the First Amendment to the 2009 Villages of Lake-Sumter Impact Fee Agreement, Approval of the Second Amendment to the Amended and Restated Agreement for the Development of County Roads 466-A, 462, and 139, and Finally the approval of the Agreement between the City of Wildwood and The Villages of Lake-Sumter, Inc., Concerning Issues Related to the Widening of County Road 139

This agenda item and the associated resolution, amendments to contracts, and contract are all associated with resolving remaining road impact fee issues prior to the departure of Mr. John Lege, Finance Director, Clerk of Circuit Court.

The Resolution provides for the dissolving of the three "old" district accounts that were associated with the repealed project based road impact fee ordinance. It also provides for the funds in said accounts to be transferred to the "one and only 'new'" Road Construction District Impact Fee Trust Account based on the consumption based road impact fee ordinance that is in place since October 2009.

The amendments to the 2 contracts with The Villages of Lake-Sumter, Inc. are to resolve real or perceived conflicts between the October 2009 ordinance and these February 2009 contracts that preceded the adoption of the ordinance.

The approval of the agreement between the City of Wildwood and The Villages of Lake-Sumter, Inc. is to formally acknowledge the reference that Sumter County is party to the contract by virtue of the impact fee credit agreements between Sumter County and The Villages of Lake-Sumter, Inc. This will also provide for the final point of resolution for reimbursement to The Villages of Lake-Sumter, Inc. for the performance under both contracts. The final point for resolution will be the Clerk of Circuit Court to accept the County Attorney's opinion that the use of road construction impact fees is valid for the work contained in the contract since it had a direct bearing on the realignment mitigation for the necessary right-of-way provided by the City of Wildwood for the capacity expansion of CR139 (designated now as Powell Road effected 90 day from the BOCC action for the renaming).
